

## **REMARKS**

Applicants respectfully request reconsideration of this application, as amended, and the non-final Office Action mailed July 8, 2009. Applicants respectfully request a one-month extension of time to file this response and authorize the Commissioner to charge the fees associated with the extension of time to our Deposit Account No. 19-0733. Applicants also authorize the Commissioner to debit our Deposit Account No. 19-0733 for any additional fees that may be due in connection with this application, but are not otherwise accounted for in these papers.

Upon entry of this Amendment, claims 21, 23, 25-35, and 37-47 will be pending in this Application. Claims 21, 35, and 39 have been amended. Claims 44-47 have been added.

### ***I. The Office's Rejections under 35 U.S.C. § 112***

In the Office Action mailed July 8, 2009, the Office made the following rejections:

- Claims 21, 23, 25-35, 37, and 38 were rejected under 35 U.S.C. § 112, first paragraph
- Claims 39-43 were rejected under 35 U.S.C. § 112, first paragraph
- Claims 21, 23, 25-34 were rejected under 35 U.S.C. § 112, second paragraph
- Claims 35, 37, and 38 were rejected under 35 U.S.C. § 112, second paragraph
- Claims 39-43 were rejected under 35 U.S.C. § 112, second paragraph

Applicants believe that Applicants' independent claims 21, 35, and 39, as amended, comply with 35 U.S.C. § 112, first paragraph and second paragraph. Applicants respectfully request that the Office withdraw these rejections.

### ***II. The Office's Rejections under 35 U.S.C. § 103***

In the Office Action mailed July 8, 2009, the Office made the following rejections:

- Claims 21, 27-31, 35, 37, 38-41, and 43 were rejected as allegedly being unpatentable over on Marinelli, U.S. Patent No. 6,148,271 (“Marinelli”) in view of Heitzman, et al., U.S. Patent No. 4,716,458 (“Heitzman”) and Pejas, et al., U.S. Patent No. 5,696,481 (“Pejas”)
- Claim 42 was rejected as allegedly being unpatentable over Marinelli in view of Heitzman and Pejas and further in view of Jones, U.S. Patent No. 6,292,213 (“Jones”)
- Claim 23 was rejected as allegedly being unpatentable over Marinelli in view of Heitzman and Pejas and further in view of Boyd, et al., U.S. Patent No. 5,023,727 (“Boyd”)
- Claim 25 was rejected as allegedly being unpatentable over Marinelli in view of Heitzman, Pejas, and Boyd, and further in view of Eden, et al., U.S. Patent No. 5,993,335 (“Eden”)
- Claim 26 was rejected as allegedly being unpatentable over Marinelli in view of Heitzman and Pejas and further in view of Shea, U.S. Patent No. 6,430,453 (“Shea”)
- Claims 32-34 were rejected as allegedly being unpatentable over Marinelli in view of Heitzman and Pejas and further in view of Mickelson, U.S. Patent No. 6,163,021 (“Mickelson”)

Applicants respectfully traverse each of these rejections and request reconsideration of the claims, as amended.

In each of these rejections, the Office relied on the Heitzman reference to teach or suggest the at least one camera, as recited in Applicants’ independent claims 21, 35, and 39. The camera

in Heitzman is “positioned in a vehicle under test behind the driver at a location where the driver’s view through the front windshield, together with the position of the steering wheel as operated by the driver, may be recorded...” *See* Heitzman, Col. 4, Lines 11-19. The camera in the Heitzman system is not attached to the mobile participant, as recited in Applicants’ independent claim 21, 35, and 39. The other applied references do not cure these deficiencies with Heitzman. For example, Marinelli describes a device for measuring a moving object. Pejas describes a system for processing times at various points along a route in a sporting event. Neither of these references describes a camera or even mentions a camera.

Additionally, Jones describes a system in which signal communication is allowed via a wireless communication path. Boyd describes a device for producing a video signal that has multiple relay units. Eden describes a rollercoaster-type game implemented in an arena that is a cross of a half-pipe concept from in-line skating with a traditional hockey rink. Shea describes a bowling center system in which the scores of players at various locations are all displayed on a display device. Mickelson describes a navigation system for spinning projectiles that includes a magnetic sensor. Each of Applicants’ independent claims 21, 35, and 39 recite a system or method that comprises at least one camera for capturing images, wherein the at least one camera is attached to the mobile participant. None of the references cited by the Office - Marinelli, Heitzman, Pejas, Jones, Boyd, Eden, Shea, and/or Mickelson – alone or in combination teach or suggest the at least one camera, as it is recited in Applicants’ independent claims 21, 35, and 39 and thus do not render unpatentable Applicants’ independent claims 21, 35, and 39 or their respective dependent claims 23, 25-34, 37, 38, and 40-43. Applicants respectfully request that the Office withdraw the rejections of claims 21, 23, 25-35, and 37-43 for at least these reasons. Allowance of these claims is earnestly solicited.

**III. Applicants' New Claims 44-47**

Applicants have added new claims 44-47. The Office can find support for these new claims at least at the following places in Applicants' originally-filed specification: pg. 4, lns. 1-11; pg. 4, lns. 18-20; and pg. 5, ln. 26 – pg. 6, ln. 13. Applicants submit that these new claims depend from Applicants' independent claims 21 and 35, respectively, are allowable for at least the reasons stated above with respect to Applicants' independent claims 21 and 35.

**IV. Conclusion**

If the Examiner believes that a telephone conference or a personal interview will be useful to advance the prosecution of this application and/or to place the application in condition for allowance, he is invited to contact the undersigned attorney.

All rejections having been addressed, Applicants respectfully submit that this application is in condition for allowance. Allowance of this application is earnestly solicited.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 19, 2009

By: /Holly L. Johnston/  
Holly L. Johnston  
Registration No. 59,496

BANNER & WITCOFF, LTD.  
1100 13<sup>th</sup> Street, N.W. Suite 1200  
Washington, D.C. 20005-4051  
(503) 425-6800 (Telephone)  
(503) 425-6801 (Facsimile)